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June 5, 1995

VIA HAND DELIVERY

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
Room #222
1919 M Street, N.W.
Washington, D.C. 20554

Re: In the Matter of Amendment of Parts 2 and 15 of the Commission's Rules to Deregulate the Equipment Authorization Requirements for Digital Devices
ET Docket No. 95-19

Dear Mr. Caton:

Enclosed please find for filing on behalf of Motorola, Inc. an original and five copies of Comments of Motorola, Inc.

Also, enclosed please find one copy of the Comments of Motorola, Inc. to be date stamped and returned with our messenger.

If there are any questions concerning this filing, please do not hesitate to contact me.

Respectfully submitted,

Alfred M. Mamlet
Counsel for Motorola, Inc.

/srh-m
Enclosures
cc: John A. Reed, FCC

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List A B C D E

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	**ET Docket No. 95-19**
Amendment of Parts 2 and 15 of the	)	
Commission's Rules to Deregulate	)	
the Equipment Authorization	)	
Requirements for Digital Devices	)	
	)	

COMMENTS OF MOTOROLA, INC.

I. INTRODUCTION

Motorola, Inc. ("Motorola") commends the Commission for its proposal to streamline the equipment authorization requirements for personal computers and personal computer peripherals. The proposed rule will improve the competitiveness of the U.S. computer industry and the U.S. economy.

At the outset, Motorola would like the Commission to confirm Motorola's understanding that the proposed rule would only apply to unintentional radiators subject to Class B authorization. The proposed rule would not apply to intentional radiators, including wireless telephone equipment. Since revising the equipment authorization process for intentional radiators could raise significantly different considerations than for unintentional radiators, a separate rulemaking would be needed in order to address any suggestion that the authorization process for intentional radiators be modified.

The proposed rule offers two significant advantages to the U.S. personal computer industry. **First**, it reduces the financial and administrative burdens inherent in the current authorization process. By eliminating the need for application fees and

lengthy delays, this process will increase the competitiveness of the U.S. computer market.

Second, by requiring National Voluntary Laboratory Accreditation Program ("NVLAP") certification for personal computers and peripherals, this proposal will ensure efficient, cost-effective compliance in a manner which more closely aligns U.S. certification requirements with those used internationally. This requirement is thus a significant step towards international harmonization -- a step which will help eliminate the costly and time-consuming need for U.S. manufacturers to retest products abroad.

In short, the proposed rule is "reinventing government" at its best. The Commission will accomplish its important public interest certification goals in a more efficient manner, reducing the burdens on consumers and industry, and improving the international acceptance of U.S. products. These two advantages will strengthen the U.S. computer industry, and will benefit U.S. consumers through both improved product quality and lower prices.

II. THE COMMISSION'S PROPOSAL WILL SIGNIFICANTLY REDUCE THE FINANCIAL AND ADMINISTRATIVE BURDENS INHERENT IN THE CURRENT AUTHORIZATION PROCESS FOR PERSONAL COMPUTERS AND PERIPHERALS

Motorola strongly supports the Commission's proposal to streamline equipment authorization requirements for personal computers and personal computer peripherals. The Commission's self-certification proposal, which requires a manufacturer or equipment supplier to test a product and submit a statement of compliance entitled "Declaration of Conformity" ("DoC"), will significantly reduce the financial and administrative burdens inherent in the FCC's existing authorization process. Currently, the FCC's certification process requires manufacturers and equipment suppliers to submit a written application, a test report and a fee to the FCC

Laboratory.[1/] The current process is unnecessarily costly. As the Commission acknowledges, filing fees amount to millions of dollars every year.[2/]

More significantly, the current process is also unnecessarily lengthy. The average timeframe for FCC authorization is 35 days. This timeframe is even longer if the FCC requires additional information to be submitted or if any corrections are necessary.[3/] Considering that the market life for many computer products is about six months, a 35-day approval cycle takes a significant economic bite out of a product's useful economic life.[4/] Reduced cycle time will bring important technology to consumers faster, and will increase the competitiveness of U.S. manufacturers.

The FCC's self-certification proposal substantially reduces these financial and administrative burdens by allowing manufacturers to avoid unnecessary filing costs, and to market their products immediately upon filing a DoC. Motorola agrees with the Commission that this burden reduction will provide the industry with higher rates of return on investment, which will in turn likely attract more resources to the industry and allow manufacturers to devote more resources to product development. These advantages will also likely benefit consumers through both improved product quality and lower prices.[5/]

Motorola also fully supports the Commission's proposals with respect to component parts and system assembly. Specifically, Motorola supports the Commission's intention to require all computer components, such as CPU boards, power supplies and enclosures, that are designed for use in personal computers and

1/ NPRM at ¶ 2; 47 C.F.R. § 2.901, *et seq.*

2/ NPRM at ¶ 11.

3/ NPRM at ¶ 2.

4/ NPRM at ¶ 4.

5/ NPRM at ¶ 11.

marketed to the public, to comply with the Commission's technical standards.[6/] Motorola also agrees with the Commission's proposal to permit parties to integrate personal computer systems using authorized components without requiring the retesting of the completed system as long as such parties follow the assembly instructions provided with the components.[7/] In addition, Motorola agrees with the Commission's rationale for permitting power supplies to be authorized based on a single test with the power supply installed in a typical configuration.[8/]

Further, Motorola also supports the Commission's proposal to streamline the labeling requirement.[9/] Indeed, the Commission should require a logo consisting of a stylized "B" to enable the public to ascertain quickly that the equipment complies with the applicable standard. The compliance label should be limited to this stylized logo. The additional label information currently required would no longer be necessary under the proposed rule. Streamlining the labeling requirement would reduce the burden on U.S. businesses who must operate in the myriad languages of the global marketplace. This suggestion is fully consistent with the Commission's interest in harmonizing international standards.[10/]

III. THE COMMISSION'S PROPOSED NVLAP ACCREDITATION REQUIREMENT FOR PERSONAL COMPUTERS AND PERIPHERALS OFFERS IMPORTANT ADVANTAGES TO U.S. INDUSTRY BOTH AT HOME AND ABROAD

As part of the streamlined authorization process, the Commission proposes to require laboratories which test personal computers and personal computer

6/ NPRM at ¶ 17.

7/ NPRM at ¶ 18.

8/ NPRM at ¶ 21.

9/ NPRM at ¶ 7.

10/ NPRM at ¶ 12.

peripherals to be accredited through National Institute of Standards and Technology's ("NIST") and NVLAP.[11/] Accreditation through NVLAP will offer three significant advantages to the U.S. industry that alternate accreditation programs cannot. **First**, as recognized by both the FCC and the American Council of Independent Laboratories, NVLAP accreditation is an effective method of ensuring the competence of electromagnetic compatibility ("EMC") test labs.[12/] Simply speeding up the existing authorization process or permitting pre-authorization marketing can provide no such assurance.

Second, NVLAP accreditation will aid in efforts to achieve international standards harmonization, a goal supported by the Commission.[13/] NVLAP is the only EMC laboratory accreditation program in the United States which is based, like many foreign accreditation programs, on the International Organization for Standards ("ISO") Guides 25 and 56. NVLAP has also negotiated -- and is actively engaged in negotiating -- a number of Mutual Recognition Agreements ("MRA") with different foreign EMC laboratory accreditation programs. Thus, by requiring NVLAP accreditation, the FCC will bring the U.S. industry standards one step closer to world-wide acceptance, which in turn will further the U.S. industry goal of eliminating the time-consuming and costly need to retest products sold abroad. None of the alternatives proposed in the NPRM can provide these critical international benefits.

Third, NVLAP accreditation is a cost-effective method of ensuring compliance with FCC standards. Quality EMC laboratory testing already meets the standards set forth in ISO Guides 25 and 26, and thus such testing will not require any additional financial outlays. Additionally, the initial and annual costs of NVLAP

11/ NPRM at ¶ 8.

12/ NPRM at ¶¶ 8 & 9; Letter from Chairman of the American Council of Independent Laboratories EMC Subcommittee to Federal Communications Commission's Sampling and Measurements Branch (Dec. 21, 1994).

13/ NPRM at ¶ 12.

accreditation will be more than offset by the benefits of such accreditation. Finally, the Commission's proposed two-year transition period provides adequate time for testing facilities to acquire NVLAP accreditation without incurring unnecessary expenses.

IV. CONCLUSION

Motorola fully supports the Commission's proposal to permit self-certification through NVLAP accredited testing laboratories with respect to personal computers and personal computer peripherals. Such a self-certification procedure will significantly strengthen the U.S. computer industry at home and abroad by reducing unnecessary financial and administrative burdens at home, and by facilitating efforts towards standards harmonization abroad. For these reasons, Motorola urges the Commission to adopt its proposed rules expeditiously.

Dated: June 5, 1995

Respectfully submitted,

MOTOROLA, INC.

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